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File no. 2900.98782

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re:	:	Bankruptcy No. 18-15968 JFK
	:	
JUANITA COOPER,	:	Chapter 13
	:	
Debtor.	:	
	:	
CITIZENS BANK N.A. F/K/A RBS	:	
CITIZENS N.A.,	:	
	:	
Movant,	:	Document No.
	:	Hearing Date: February 13, 2109 at 9:30am
	:	Objection Date: February 6, 2019
JUANITA COOPER,	:	
	:	
Respondent.	:	

**MOTION OF CITIZENS BANK N.A F/K/A RBS CITIZENS N.A. FOR RELIEF
OF FROM THE AUTOMATIC STAY**

AND NOW, comes secured Creditor, Citizens Bank N.A. f/k/a RBS Citizens N.A. (Movant) by and through its counsel, Robert W. Williams and files this Motion to obtain an order for Relief from the Automatic Stay due to lack of equity in debtor(s) property and debtor(s) failure to provide Movant with adequate protection of its interest in the property which is the basis of the creditor's security.

1. Movant is Citizens Bank N.A f/k/a RBS Citizens N.A.
2. Debtor Juanita Cooper is the owner of property located at 97 E. Duval Street, Philadelphia, PA 19144.

3. Movant is the secured mortgagee creditor of the premises. A copy of the Note and Mortgage is attached hereto as Exhibit "A" and Exhibit "B" respectively.
4. On September 10, 2018, Debtor filed a Chapter 13 Bankruptcy Petition.
5. The debtor is presently in arrears post-petition for four (4) months, October 1, 2018 to January 1, 2019.
6. The total post-petition amount due:

Delinquent Payments @ \$736.93 for October 1, 2018	\$736.93
Delinquent Payments @ \$736.93 for November 1, 2018	\$736.93
Delinquent Payments @ \$736.93 for December 1, 2018	\$736.93
Delinquent Payments @ \$736.93 for January 1, 2019	\$736.93
TOTAL TO CURE DEFAULT	\$2,947.72

7. Additionally, Movant seeks attorney's fees and costs of \$1,031 for filing the instant motion for relief from the automatic stay.
8. Movant wishes to have the automatic stay terminated to permit Movant to complete foreclosure on its mortgage.
9. Movant is entitled to relief from the automatic stay under §362(d) of the U.S. Bankruptcy Code because of the foregoing default and because adequate protection of Movant's interest is lacking.
10. If Movant is not permitted to foreclose on its mortgage on said premises, it will suffer irreparable injury, loss and damage.
11. Movant has cause to have relief from the Automatic Stay effective immediately and such relief should not be subject to the fourteen (14) day period set forth in Bankruptcy Rule 4001(a)(3), as Movant will incur substantial additional costs and expenses by the imposition of said fourteen (14) day period.

WHEREFORE, Movant respectfully requests this Court enter an Order Modifying the Automatic Stay under § 362 of the Bankruptcy Code with respect to the mortgage premises so as to permit Movant to foreclose on its mortgage and allow Movant or any other purchaser at Sheriff's Sale to take legal action for enforcement of its right to possession of said premises. Movant also respectfully requests attorney's fees and costs associated with the filing of this Motion.

Movant also requests that the Court order entered pursuant to the instant Motion provide that all communications sent by Movant in connection with proceeding against the property including, but not limited to, notices required by state law and communications to offer and provide information with regard to potential loss mitigation options pursuant to applicable non-bankruptcy law, including, loan modifications, deeds in lieu of foreclosure, short sales and/or any other potential loan workouts or loss mitigation agreements, be sent directly to the Debtor.

Respectfully submitted,

Dated: January 16, 2019

/s/ Robert W. Williams
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